

Remarks/Arguments

The foregoing amendments to the claims are of formal nature, and do not add new matter. Prior to the present amendment, claims 39-44 were pending in this application and were rejected on various grounds. Claim 44 has been canceled without prejudice and claim 39 has been amended. The rejection to the presently pending claims are respectfully traversed.

Priority

The Examiner noted that Applicants are entitled to the priority of PCT Application No. PCT/US98/19330, filed 9/16/98 because the subject matter of the present application "is not supported by the US Provisional Application 60/059184 filed 9/17/97.....does not teach how to use instant antibody and thus does not provide an enabling disclosure."

Applicants rely on the '*In vitro* antitumor assay' first disclosed in PCT/US99/28565 filed on 12/2/99, priority to which is claimed in this application. Specifically, this data is presented in Example 91, found at page 218 of the present application. Accordingly, the effective filing date of the present application is December 2, 1999.

Specification

The specification has been objected to for containing an embedded hyperlink. The foregoing amendment, which deleted all embedded hyperlinks or other forms of browser executable code, is believed to overcome this objection.

Claim Rejections – 35 USC § 112

Claims 39 and 44 were rejected as "indefinite, absent a definition for 'specific binding'." The Examiner alleges there is no difference between claims 39 and 44.

Applicants submit that the art-recognized meaning of "specific" binding is that the antibody that specifically binds to a particular antigen does not significantly cross-react with another antigen. However, solely to simplify issues, and to facilitate the prosecution of the present application, claim 44 has been canceled, and claim 39 has been amended to recite

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specific binding. Accordingly, the present rejection is believed to be moot, and should be withdrawn.

Claim Objections


Claims 40-43 were objected for allegedly depending from rejected claim 39.

Present amendments to the claim are believed to overcome this rejection.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 08-1641 (Attorney Docket No.: 39780-1618P2C14). Please direct any calls in connection with this application to the undersigned at the number provided below.

Respectfully submitted,

Date: March 26, 2003


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